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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR  | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|-----------------------|---------------------|------------------|
| 10/718,983  | 11/20/2003  | Philip Michael Hawkes | 020390              | 2737             |
| 23696   | 7590        | 09/08/2005            | EXAMINER            |                  |
| Qualcomm Incorporated<br>Patents Department<br>5775 Morehouse Drive<br>San Diego, CA 92121-1714 |             |                       | LA, ANH V           |                  |
|   |             |                       | ART UNIT            | PAPER NUMBER     |
|   |             |                       | 2636                |                  |

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/718,983 | <b>Applicant(s)</b><br>HAWKES ET AL. |  |
|                              | <b>Examiner</b><br>Anh V. La         | <b>Art Unit</b><br>2636              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4-5, 7-8, 10,12, 14, 16-17, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Fitzpatrick (US 2003/0128103).

Regarding claims 1, 12, and 17, Fitzpatrick discloses an apparatus/method for viewing information from a mobile station in a vehicle comprising a display module 34,22, configured to be installed in the vehicle and link with the mobile station to display information from the mobile station when the mobile station is linked with the display module (0046), and a control module coupled to the display module and configured to enable the display of the information from the mobile station (see figure 15).

Regarding claim 7, Fitzpatrick discloses an apparatus for viewing information from a mobile station in a vehicle comprising a display module 34,22, built into the vehicle and linked with the mobile station to display information from the mobile station when the mobile station is linked with the display module (0046), and a control module coupled to the display module and configured to enable the display of the information from the mobile station (see figure 15).

Regarding claim 2, Fitzpatrick discloses the display module to be build into the vehicle (fig. 1, 15).

Regarding claims 4, 10, 14, and 19, Fitzpatrick discloses the display module to be build on a dashboard of the vehicle (fig. 1, 15).

Regarding claim 5, Fitzpatrick discloses the display module to be added onto the vehicle (fig. 1, 15).

Regarding claims 8 and 16, Fitzpatrick discloses an automobile (fig. 1).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 6, 9, 11, 13, 15, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fitzpatrick in view of Butzer (US 6,747,574).

Regarding claims 3, 6, 9, 11, 13, 15, 18, and 20, Fitzpatrick discloses all the claimed subject matter as set forth above in the rejection of claim 1, but still does not disclose the display module being build on a windshield of the vehicle (claims 3, 9, 13, 18) and the display module comprising a reflected display (claims 6, 11, 15, 20). Butzer teaches the use of a display module being build on a windshield of a vehicle and the display module comprising a reflected display (column 8, lines 18-45). It would have been obvious at the time the invention was made to a person having ordinary skill in the

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art to include the display module being build on a windshield of the vehicle and the display module comprising a reflected display to the apparatus of Fitzpatrick as taught by Butzer for the purpose of effectively displaying information of the mobile station.

***Answers to Remarks***

5. Applicant's arguments filed on June 28, 2005 have been fully considered.

Applicant has argued that Fitzpatrick does not disclose displaying information from a mobile station. This argument is not found persuasive. Fitzpatrick does teach the display module 34, 22 that displays information from a mobile station in paragraphs 0046 and 0052 and in figure 15.

Applicant has argued that Fitzpatrick does not disclose a display module configured to link with a mobile station to display information from the mobile station when the mobile station is linked with the display module and enabling display of information from the mobile station using the display module when the mobile station is linked with the display module. This argument is not found persuasive. Fitzpatrick does teach the display module 34, 22, configured to link with a mobile station to display information from the mobile station when the mobile station is linked with the display module and enabling display of information from the mobile station using the display module when the mobile station is linked with the display module in paragraphs 0046 and 0052 and in figure 15.

Applicant has argued that Butzer does not disclose displaying information from a mobile station. This argument is not found persuasive. Fitzpatrick does disclose displaying information from a mobile station in paragraphs 0046 and 0052 and in figure 15.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. In this case, Fitzpatrick discloses an apparatus/method for viewing information from a mobile station in a vehicle comprising a display module 34,22, configured to be installed in the vehicle and link with the mobile station to display information from the mobile station when the mobile station is linked with the display module (0046), and a control module coupled to the display module and configured to enable the display of the information from the mobile station (see figure 15). Butzer teaches the use of a display module being build on a windshield of a vehicle and the display module comprising a reflected display (column 8, lines 18-45). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the display module being build on a windshield of the vehicle and the display module comprising a reflected display to the apparatus of Fitzpatrick as taught by Butzer for the purpose of effectively displaying information of the mobile station.

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6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**ANH V. LA**  
**PRIMARY EXAMINER**

Anh V La  
Primary Examiner  
Art Unit 2636

AI  
September 02, 2005